BORA LASKIN LAW LIBRARY
3 1761 10084653 4

Digitized by the Internet Archive
in 2018 with funding from
University of Toronto

https://archive.org/details/environmentalres02alex

ENVIRONMENTAL RESOURCES LAW

Provisional Collection of
Cases and Materials

PART II

August 1970

G.W. Alexandrowicz
F.J.E. Jordan

PART II

OCEAN MANAGEMENT

	PAGE
1. Introduction	
The Continental Shelf	1
A Brief Look At Canada's Offshore	2
Coastal Waters	5
Ocean Space - Europe's New Frontier	6
The Potential of Canada's Offshore Mineral Resources	10
A Look at Canada's Offshore Hopes	14-15
Panel: Competing Demands on the Shelf	
Introduction	19A
The Transportation Industry and the Continental Shelf	20
Oil and Gas Interests on the Shelf	27
Fishing Interests on the Shelf	30
Disarmament Interests on the Shelf	32
Sport Fishery and Recreation Demands on the Continental Shelf	35
2. Territorial Waters	
The Fisheries Case, [1951] I.C.J. Rep. 115	40
Convention on the Territorial Sea and Contiguous Zone, 1958	51
Report on the First Geneva Conference	54
Shore and Sea Boundaries, Shalowitz	60
Hudson Bay, A Case Study	66
The Concept of a Historic Bay	74
Territorial Sea and Fishing Zones Act	77
excerpt from "Living Resources of the Sea"	78
Breadth of the Territorial Sea	82A
3. The Continental Shelf	
a) International Aspects	
The Truman Proclamation, 1945	83
International Custom and the Continental Shelf, Slouka	83

Abu Dhabi Arbitration 84

Treaty Delimiting Continental Shelf Between Britain and Norway 87

Convention on the Continental Shelf, 1958 87A

North Sea Continental Shelf Case [1969] I.C.J. Rep. 3 88

Shore and Sea Boundaries, Shalowitz 98

Legal Foundations of the Ocean Regime 102

Japanese Oil Find Poses Title Problem 119

Commons Debates (St. Pierre and Miguelon) 120

Drawing the Line in the Arctic 121

Ocean Oil Claims South of Nova Scotia Disputed by U.S. 123

Canada Ratifies Pact to Make Claim on Continental Shelf 124

b) Constitutional

Reference re Ownership of Offshore Mineral Rights, (1967), 65 D.L.R. (2d) 353 125

Provinces Offered Deal on Offshore Mine Rights 140

Press Release excerpts following Prime Minister Trudeau's annoncement of a federal-provincial sharing program 141

Statement by P.M. on resource administration lines 143

Commons Debates, (Gulf of Georgia) 143

from a speech delivered by Paul Allard, Minister of Natural Resources for the Province of Quebec 144

Mineral Division, Delayed 146

Petroleum Resources in Australian Offshore Areas 146

c) Administration

A Brief Look at Canada's Offshore 147

An Act to Amend the Oil and Gas Production Act 158

Territorial Lands Act 159

Public Lands Grants Act 159

Canada Oil and Gas Land Regulations 160

Oil and Gas Land Order 173

Oil Permit Map 174

Sample Oil and Gas Licence, Exploratory Permit and Lease 175

Canada Oil and Gas Drilling Regulations 180

Ontario Drilling Regulations 189

White Paper on Taxation 190

Outer Continental Shelf Lands Act 193

Offshore Oil and Gas Drilling Regulations 196

Oil Drilling Code Eased by Hickel 200

Offshore Mineral Deposits Regulations 201

4. The High Seas

Marine Resources and The Freedom of the Seas 203

National Jurisdiction and The Use of the Sea 208

Convention on the High Seas 220

Shore and Sea Boundaries, Shalowitz 223

The Enforcement of International Fisheries Agreements on the High Seas: A Comparative Analysis of State Practice 229

The Contiguous Air Space Zone in International Law 262

5. The Deep Sea-bed

The Present Regime of the Exploration and Exploitation of Sea-bed Resources in International Law and in National Legislation: An Evaluation 276

The Role of International Organization in Ocean Development 295

The United Nations and the Bed of the Sea 319

Understanding the Debate on Ocean Resources 323

Peace and Security on the Ocean Floor 369

U.N. Monthly Chronicle 373

Statement by the President on U.S. Oceans Policy 374

Statement by the Honourable Elliot Richardson 376

The Legal Regime of Scientific Research on the Sea-bed 383

The Military Uses of the Deep Ocean Floor and Its Subsoil - Present and Future 397

"Text of Draft Treaty Banning Nuclear Weapons on the Ocean Floor," 408

Draft Statute of the International Regime for the Peaceful Uses of the High Seas and of the Sea-bed Beyond the Limits of National Jurisdiction (Borgese) 409

International Regime Proposals 418

Map of Proposed Regime Ignoring Island Possessions 424

Map of Proposed Regime Recognizing Island Possessions 425

6. Arctic

a) Jurisdiction

Canadian Claims to Territorial Sovereignty in the Arctic Regions 426

Map of the Arctic 439

Environmental Effects of Oil Pollution in Canada 440

Arctic Waters Pollution Act, 1970 444

Living Resources of the Sea 451

Canada Rejects Soviet Proposal to Prohibit Polar Bear Hunting 466

Russia, Canada, U.S. in Arctic Race 467

How Can We Keep It? 468

Can Canada Control the Arctic Route? 470

Canadian Arctic and the Northwest Passage 471

Manhattan Regulations 477

b) Exploitation

"Take away the glamour; what is left." 478

Commons Debates, (Supporting Panarctic) 480

Commons Debates, (Pollution) 481

An Oil Bonanza - but the Problem Is to Get It Out 482

Oil: Yes or No? Da or Nyet? 483

New York Times, Editorial 484

TransCanada Studying Alaska - Emerson Line 485

West Presses for Continental Oil Agreement in Face of Short-term Threat from Alaska 486

A Continental Oil Policy for North America 488

7. Pollution

Ocean Harvest and Interference From the Land 491

Environmental Effects of Oil Pollution in Canada 506

Canada Shipping Act 512

The Torrey Canyon Report 516

Britain and France to Get $8.2 Million in Torrey Oil Spill 521

Coastal Pollution, Observations on the Torrey Canyon Report 522

International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969 526

International Convention on Civil Liability for Oil Pollution Damage, 1969 532

TOVALOP 542

Grounded Tanker Leaking Oil, Splits Off Nova Scotia 546

Minister Bungled Bid to Limit Arrow Oil Pollution, MP Charges 546

The Little Bays where Rocks Float in Oil 547

Nova Scotia Coast is Fouled by Oil 548

Long Pollution in Nova Scotia From Tanker's Oil is Expected 548

Costs from Arrow Oil Cleanup are Hard to Recover Lawyers Say 549

The Oil Spill Problem 550

An Act to Amend the Federal Water Pollution Control Act 563

Special Report on Potential Oil Pollution, Eutrophication, and Pollution from Watercraft 566

Thou Shalt Not Abuse the Earth 574

Liability in Technology Assessment 578

Offshore Mineral Resources: A Challenge and an Opportunity 583

The Unseen Problems of Thermal Pollution 586

Thermal Pollution Standards Established for State Waters 588

Sub-committee Hearings on Nerve Gas Dumping 589

excerpt from "The Pentagon's deadly gas scheme" 592

Nerve Gas Train Will Travel Across Seven Southern States 592

Overstocked in Destruction: the dilemma we share 592

The Liability of Operators of Nuclear Ships 593

Nuclear Liability Act 598